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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/626,719	07/25/2003	Kai Licha	SCH-1731 D1

23599
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

CONFIRMATION NO. 9681
FORMALITIES LETTER



OC000000013625110

Date Mailed: 08/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

Y.6

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kai LICHA et al.

Serial No.: 10/626,719

Filed: July 25, 2003

Title: SHORT-WARP PEPTIDE DYE CONJUGATE AS CONTRAST AGENT FOR
OPTICAL DIAGNOSTIC



Confirmation No.: 9681

Examiner: Unassigned

Group Art Unit: Unassigned

RESPONSE TO NOTICE TO FILE MISSING PARTS

MAIL STOP MISSING PARTS

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SIR:

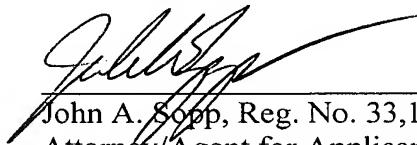
This Response is made to the Notice to File Missing Parts mailed August 24, 2004
(copy attached).

The Notice alleges that the filing did not contain a properly signed oath or declaration.
However, applicants did include the proper declaration with the filing.

This application is a divisional application from SN 09/528,200, as was properly
identified in the transmittal papers. Thus, applicants properly included with the filing a copy
of the inventors' declaration filed in the '200 parent application. In fact, seven copies of the
declaration were filed, each copy being separately signed by each of the seven inventors,
which is acceptable. Attached is a copy of the declarations (which together amount to a
proper declaration) and a copy of the return receipt postcard from the USPTO indicating that
this item was received on the filing date.

Thus, applicants urge that there were no missing parts in the originally filed application. Accordingly, no fee for late filing of the declaration is due.

Respectfully submitted,



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Attorney/Agent for Applicants

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Attorney Docket No.: SCH-1731-D1

Date: September 10, 2004

JAS/rrt

